

## Surface Mining Reclamation and Enforcement, Interior

§ 935.15

### § 935.12 [Reserved]

### § 935.15 Approval of Ohio regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these

amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
September 16, 1982 October 13, 1982 .....	January 17, 1983 ... January 31, 1983, July 22, 1983.	OAC 13-1-01. OAC 1501:13-1-02(E), -07; 13-4-03 through -05.
January 6, 1983 .....	May 24, 1983 .....	ORC as amended by SB 240 and 323.
June 10, 1983, August 11, 1983, August 22, 1983.	October 6, 1983 .....	OAC 1501:13-1-02; 13-4-04, -05, -13, -14; 13-9-04; 13-12-03, -04.
July 18, 1983 .....	October 13, 1983 ...	ORC 1513:01(G)(2), (U); -13(A)(1), (C)(1), (3).
January 30, 1984 .....	April 23, 1984 .....	OAC 1501:13-4-13(K)(1).
February 8, 1984 .....	May 1, 1984 .....	OAC 1501:13-9-15(E)(5); ORC 1513-101(J), (K), (L).
December 28, 1983 ..	June 5, 1984 .....	OAC 1501:13-14-01.
March 5, 1984 .....	August 8, 1984 .....	OAC 1501:13-14-05.
June 15, 1984 .....	September 25, 1984	OAC 1501:13-4-04(I), (L), -13(I), (J), (L); 13-9-04(B)(5), (G)(15); and Division Advisory Memo No. 31.
July 23, 1984 .....	November 1, 1984 ..	ORC contained in Substitute House Bill No. 164.
March 9, 1984 .....	November 7, 1984 ..	OAC 1501:13-4-13(E)(2).
September 17, 1984	December 31, 1984	OAC 1501:13-2-15.
July 10 and 23, 1984	March 18, 1985 .....	OAC 1501:13-9-06.
July 11, 1984, July 23, 1984.	May 23, 1985 .....	OAC 1501:13-14-01; ORC 1513-3-01 through -22.
July 3, 1985 .....	September 18, 1985	OAC 1513-3-01 through -22.
November 15, 1985 ..	April 9, 1986, June 9, 1986.	ORC 1513.02, .07, .08, .10, .16, .18, .20, .25, .27 through .33, .37, .181; 5749.02, .021.
January 15, 1986 .....	May 6, 1986 .....	OAC 1513-3-01 through 04, 16, 17.
October 26, 1985 .....	July 17, 1986 .....	OAC 1501:13-3-05; 13-4-04, -13; 13-9-04.
November 6, 1984 .....	July 28, 1986 .....	OAC 1501:13-14-03.
March 3, 1986 .....	September 18, 1986	OAC 1501:13-4-05, 14; 13-9-07.
July 10, 1986 .....	October 29, 1986 ...	OAC 1501:13-9-06.
October 8, 1986 .....	March 5, 1987 .....	OAC 1501:13-9-07.
December 1, 1986, January 13, 1987.	June 19, 1987 .....	OAC 1501:13-7-03(B)(5)(g), (7)(h).
May 16, 1986 .....	July 17, 1987 .....	OAC 1501:13-1-01, -02, -07, -10, -13; 13-3-02 through -07; 13-4-01 through -04, -06, -08, -12, -13, -14; 13-5-01; 13-6-03; 13-7-01 through -08; 13-8-0; 13-9-01, -04, -06, -08, -09, -10 (formerly 13-14-05), -11, -13, -14, -15; 13-10-01; 13-13-02 through -06, -08; 13-14-01 through -05; 1513-3-03, -08; ORC 1513.16(H)(2), (3), .18(F).
January 28, 1987 .....	August 10, 1987 ..	OAC 1513-3-02, -03, -04, -08, -19, -21.
June 26, 1987 .....	December 9, 1987 ..	OAC 1501:13-1-02.
January 16, 1987 .....	March 10, 1988 .....	OAC 1501:13-7-03(B)(5)(g).
October 16, 1987 .....	May 27, 1988 .....	OAC 1501:13-1-02(M), (PP), (YY); 13-3-03 (C), (G), -04(E); 13-4-01(B), -04(A), (K)(7), -05(K), -13(A), (K)(7), -14(J); 13-5-01(E)(16).
March 24, 1988 .....	July 14, 1988 .....	OAC 1513:1513-3-21(E) (3), (4), (5).
May 24, 1988, August 23, 1988.	December 22, 1988	OAC 1501:13-1-02; 13-4-03, -04, -05; 13-4-13, -14; 13-7-03, -04, -05, -07(B); 13-9-04, -07, -09, -14, -15; 13-10-01; 13-14-02, -05.
March 8, 1988, July 1, 1988.	January 30, 1989 ...	OAC 1501:13-4-02(B)(1)(b), (B)(1)(c), (C)(1), (C)(1)(a).
April 17, 1987 .....	February 21, 1989 ..	OAC 1501:13-9-15(A)(1)(a), (F)(8), (e)(i), (f)(i), (F)(9) through (12).
November 3, 1987 ....	December 15, 1989	OAC 1501:13-9-15(F)(4)(c).
January 26, 1989 .....	January 31, 1990 ...	OAC 1501:13-9-15(A)(1)(a), (F), (G), (H), (I)(2)(c), (4)(c), (8), (b), (f)(i), (I)(9).
October 2, 1989 .....	April 20, 1990 .....	ORC 1513.02(J), .08(A), .18(B), (C), (F), (H), .24, .37(J).
August 11, 1989 .....	June 5, 1990 .....	ORC 1513.05, .13(E), (F); OAC 1513-3-21.
December 5, 1989 ....	July 20, 1990 .....	OAC 1501:13-7-01(A)(4), (5), (6)(a)(i), (ii), -05(A)(1), (2)(b), (iv), (c)(ii), (B)(2)(c), (4) through (4)(e).
October 20, 1988 .....	July 25, 1990 .....	OAC 1501:13-3-07(B)(8); 13-4-01(B); 13-7-01(A)(6)(c)(iii), -05(A)(3), (5)(b)(i), (B)(2)(e); 13-9-07(K)(1)(b).
May 11, 1990 .....	August 21, 1990 .....	OAC 1501:13-7-06(F).
March 1, 1989 .....	September 18, 1990	OAC 13-1-02, 03; 13-4-14; 13-5-01; 13-7-04, -05; 13-9-11; 13-14-06.
January 20, 1989 .....	September 24, 1990	ORC 1513.07, .16; OAC 1501:13-4-15(A) through (I).
May 11, 1990 .....	February 21, 1991 ..	OAC 1501:13-9-15(I)(2)(c)(ii).
December 7, 1990 ....	February 26, 1991 ..	OAC 1501:13-10-01(G)(1).

Original amendment submission date	Date of final publication	Citation/description
June 15, 1990 .....	April 19, 1991 .....	OAC 1501:13–4–03(A), (B), (C); 13–5–01(A)(4)(a), (D), and letter of interpretation dated April 1, 1991 (Administrative Record Number OH–1498), (E)(8), (F), (G)(5), (H)(5), –02; 13–14–02(A)(8), (C)(7), (D)(1)(c), (I); ORC 1513.07(E)(6). OAC 1501:03–9–13.
January 31, 1991 .....	May 21, 1991, June 6, 1991.	
March 1, 1991 .....	May 30, 1991 .....	OAC 1501:13–9–11(D)(3).
January 31, 1989 .....	October 21, 1991 ...	ORC 1513.07(B)(4); OAC 1501:13–6–03(C)(1)(b), (I)(1)(d), (I)(1)(e).
August 23, 1991 .....	December 9, 1991 ..	OAC 1501:13–14–02(A)(2).
November 16, 1987, October 12, 1990.		ORC 1513.01(G)(1)(a); 1513.07(E)(5), (6); OAC 1501:13–1–02(S)(1)(a); 13–4–16; 13–5–03; 13–14–01; OAC 1513.16(F)(3)(b).
January 16, 1990 .....	July 27, 1992 .....	OAC 1501:13–1–02(E)(1)(d), (YYY); 13–4–05(H)(2)(c), (M)(1)(d), (e), (2), –14(H)(2)(c), (L)(1)(d), (e), (2); 13–9–04(G)(3)(b)(i), (ii), (iii), (H)(1)(c), (h)(i), (ii), (iii), (2)(h), (3)(b); 13–9–09(C)(2)(b), (5), 15(F) through (I)(2)(c)(i), (ii), (3)(c); 13–10–01(B)(1), (D)(1), (F) (5), (6), (G)(1), (G)(3), (G)(4); 13–11–02(A); ORC 1513.01(G)(2).
July 22, 1991, September 10, 1991.	August 18, 1992 .....	OAC 1501:13–9–04(H)(1)(i), (2)(d), (e), (g), (h), –07(H).
May 12, 1992 .....	September 11, 1992	OAC 1501:13–1–01(D)(1), (2).
December 11, 1991 ..	October 28, 1992 ...	OAC 1501:13–7–06(A), (1), (4), (B), (1), (2)(b), (C), (1), (2), (a), (b), (c), (C)(3), (4), (E)(1), (E)(4).
June 30, 1992 .....	January 12, 1993 ...	OAC 1501:13–13–06(A).
May 12, 1992, June 22, 1992.	January 14, 1993 ...	OAC 1501:13–5–01(A)(4)(a), 13–9–15(J)(1).
December 9, 1992 ....	April 23, 1993 .....	OAC 1501:13–1–01(B).
February 7, 1992, March 2, 1992.	June 11, 1993 .....	ORC 1513.02(F)(3).
April 5, 1993 .....	June 22, 1993 .....	OAC 1501:13–1–02 (HHHH), 13–4–15(B)(5), (I)(2)(a), (3)(d).
February 11, 1993 ....	August 16, 1993 .....	OAC 1501:13–9–15.
January 15, 1993 .....	September 3, 1993	OAC 1501:13–4–02(C)(2) through (K).
May 1, 1992, June 11, 1993.	May 2, 1994 .....	OAC 1501:13–4–06(E)(2)(g), 13–9–15, 17(B); Ohio Department of Natural Resources Guidelines for Evaluating Revegetation Success; Division of Reclamation Policy/Procedure Directive, Regulatory 94–2.
May 17, 1994 .....	July 27, 1994 .....	OAC 1501:13–9–17.
March 15, 1993 .....	September 1, 1994	Program Amendment Number 63.
February 23, 1994 ....	October 12, 1994 ...	OAC 1501:13–1–05, –10(B)(2).
March 4, 1993 .....	November 15, 1994	OAC 1501:13–4–05(E)(1)(g), (H)(1)(b)(iv), (c)(iv), –14(E)(1)(f), (H)(1)(b)(iv), (c)(iv); 13–9–04(B)(1)(a), (b), (G)(2)(e); Ohio's Policy/Procedure Directive, Inspection and Enforcement 93–4.
July 19, 1994 .....	May 11, 1995 .....	Combined Program Amendments 25R and 56R: Ohio Guidelines for Evaluating Revegetation Success.
May 17, 1994 .....	May 12, 1995 .....	Program Amendment 68R: Contemporaneous Reclamation.
September 22, 1994	July 17, 1995 .....	OAC 1501:13–1–03(D)(2), (I)(1), (J)(1), (L)(1), (2), (3) (Financial interest statements); 13–7–05(A)(2)(b)(ii), (c)(ii), (B)(2)(c).
March 28, 1995 .....	July 25, 1995 .....	OAC 1501:13–14–01.
February 2, 1995 .....	November 9, 1995 ..	Program Amendment 63R: Ohio regulatory and Abandoned Mine Land reclamation programs.
July 3, 1995 .....	February 28, 1996 ..	OAC 1501:13–4–15(d)(2); Policy Directives 92–3, 93–4.
May 23, 1996 .....	September 4, 1996	OAC 1501:13–4–12(G)(3)(d), (4)(f), (i); 13–09–08(A)(1), (B); 13–13–01.
May 17, 1996 .....	October 29, 1996 ...	OAC 1501:13–14–01(A)(2)(b), (c).
August 26, 1996 .....	February 28, 1997 ..	OAC 1501:13–1–02(OOO), (JJJJJJ); 13–4–08(A)(15), –10(A)(6), –12(L), –15(B); 13–5–01(D)(7), (D), (E)(19), (A), (B), (C); 13–9–15(F)(2), (A), (3), (a), (4)(d), (G)(3)(a), (H)(2), (I)(6), (J)(1)(b), (L), (2), (M)(4), (O), (1) through (6).
October 3, 1996 .....	October 14, 1997 ...	OAC 1501:13–6–03, (A)(1) (a) through (f), (B), (1), (2), (F)(2), (a) through (f), (C)(2), (a), (b), (D)(9), (10), (11).
June 24, 1997 .....	February 24, 1998 ..	ORC 1513.13(E).
February 11, 1993 ....	September 29, 1998	OAC 1501:13–9–15(F)(4)(c), (F)(5), and (F)(6).
December 30, 1997 ..	December 4, 1998 ..	OAC 1501:13–4–05, 1501:13–4–12, 1501:13–4–14, 1501: 13–7–05, 1501:13–9–04.
January 21, 1999 .....	April 13, 1999 .....	OAC 1513–3–21.
March 16, 1999 .....	November 22, 1999	OAC 1501:13–1–04.
June 11, 2003 .....	October 3, 2003 ....	OAC 1501:13–9–10 (A)(1), (3), (B), (B)(7), (9), (14), (14)(e), (C)(1), (2), (3), (4), (5), (D)(1), (2)(b), (E)(1), (2), (5), (F)(1), (1)(b), (1)(f), (3), (4), (4)(a), (4)(b), and (4)(c).
November 7, 2003 ....	September 27, 2004	OAC 1501:13–1–02(A), (D), (N), (O), (R), (MMMM), (OOOO); 1501:13–4–15(C)(2)(a),(b),(c); (C)(3)(b); (E)(3); (F)(1), (H)(3)(c).
August 30, 2006 .....	May 9, 2007 .....	OAC 1501:13–1–03(D)(2), (I)(1), (J)(1), (L)(1), (L)(2), and the deletion of (L)(3).
January 22, 2009 .....	November 29, 2010	OAC 1513–3–01; 3–02(B); 3–02(D)(4); 3–02(H)–(I)(1); 3–03(C); 3–04(B)(7); 3–04(H); 3–08(F); 3–09(B)–(C); 3–10(C); 3–11(A)(4); 3–11(C); 3–11(E)–(G); 3–12(A)–(C); 3–13(C)(2)–(3); 3–14(A)(2)–(4); 3–16(E)(2); 3–16(F)(2); 3–16(G); 3–16(I); 3–18(F); 3–19(A); 3–19(F); 3–19(I).

## Surface Mining Reclamation and Enforcement, Interior

## § 935.30

[62 FR 9950, Mar. 5, 1997, as amended at 62 FR 53234, Oct. 14, 1997; 63 FR 9139, Feb. 24, 1998; 63 FR 51833, Sept. 29, 1998; 63 FR 66989, Dec. 4, 1998; 64 FR 17981, Apr. 13, 1999; 64 FR 63690, Nov. 22, 1999; 68 FR 57356, Oct. 3, 2003; 69 FR 57647, Sept. 27, 2004; 72 FR 26295, May 9, 2007; 75 FR 72951, Nov. 29, 2010]

### § 935.16 Required regulatory program amendments. [Reserved]

### § 935.20 Approval of Ohio abandoned mine land reclamation plan.

The Ohio Abandoned Mine Land Reclamation Plan, as submitted on October 20, 1980, and as revised on November 21, 1980, November 2, 1981, and January 22, 1982, is approved effective August 10, 1982. Copies of the approved plan are available at the following locations:

(a) Ohio Department of Natural Resources, Division of Reclamation, Building H-2, 1855 Fountain Square Court, Columbus, Ohio 43224.

(b) Office of Surface Mining Reclamation and Enforcement, Eastland Profes-

sional Plaza, 4480 Refugee Road, suite 201, Columbus, Ohio 43232.

[59 FR 17930, Apr. 15, 1994]

### § 935.25 Approval of Ohio abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
January 6, 1983 .....	May 24, 1983 .....	ORC 1513.37(D)(2), (4), (5), (J).
August 20, 1986 .....	August 17, 1987 .....	Ohio AMLR Plan 3.7.4, 3.9.1; RAMP Committee role; AMLR program staff organization.
October 2, 1989 .....	April 20, 1990 .....	ORC 1513.02(J), .08(A), .18(B), (C), (F), (H), .24, .37(J).
February 19, 1992 .....	September 24, 1992 .....	AML emergency program; ORC 1513.37(C)(1), (L)(1), (2); OAC 1501:13-6-03(C)(1)(b), (I)(1)(d), (e).
March 19, 1996 .....	March 26, 1997 .....	Revisions to the Ohio Abandoned Mine Land Reclamation Plan to provide for the reclamation of areas causing acid mine drainage AMD and to revise the project selection process.

[62 FR 9951, Mar. 5, 1997, as amended at 62 FR 14310, Mar. 26, 1997; 62 FR 32687, June 17, 1997]

### § 935.30 State-Federal Cooperative Agreement.

The Governor of the State of Ohio, acting through the Department of Natural Resources, Division of Reclamation (Division), and the Secretary of the Department of the Interior, acting through the Office of Surface Mining Reclamation and Enforcement (OSMRE), enter into a Cooperative Agreement (Agreement) to read as follows:

#### ARTICLE I: INTRODUCTION, PURPOSE, AND RESPONSIBLE ADMINISTRATIVE AGENCY

A. Authority: This Agreement is authorized by section 523(c) of the Surface Mining Control and Reclamation Act (Act), 30 U.S.C. 1273(c), which allows a State with a permanent regulatory program approved by the

Secretary under 30 U.S.C. 1253, to elect to enter into an Agreement with the Secretary of the Department of the Interior for State regulation of surface coal mining and reclamation operations on Federal lands. This Agreement provides for State regulation of surface coal mining and reclamation operations and of coal exploration operations not subject to 43 CFR part 3480, subparts 3480 through 3487, on Federal lands in Ohio which are under the jurisdiction of the United States Department of Agriculture, Forest Service, except those lands containing leased Federal coal, consistent with State and Federal laws governing such activities in Ohio, the Federal lands program (30 CFR parts 740-745) and the Ohio State program (approved State program).

B. Purpose: The purpose of this Agreement is to (a) foster Federal-State cooperation in the regulation of surface coal mining and reclamation operations; (b) eliminate intergovernmental overlap and duplication; and